

1 Jeffrey S. Facter (State Bar No. 123817)
2 Patrick D. Robbins (State Bar No. 152288)
3 SHEARMAN & STERLING LLP
4 525 Market Street, Suite 1500
5 San Francisco, CA 94105-2723
6 Telephone: (415) 616-1100
7 Facsimile: (415) 616-1199
8 Email: jfacter@shearman.com
9 probbins@shearman.com

E-filed 3/23/06

6 Attorneys for Defendant Douglas P. Smith

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 In re MERCURY INTERACTIVE CORP.
12 DERIVATIVE LITIGATION

Case No.: C-05-4642 JF (PVT)

(Consolidated with Case Nos.:
C-05-4685 JF (PVT), C-05-4690 JF (PVT),
C-05-4703 JF (PVT), C-05-4704 JF (PVT))

14 DEFENDANT DOUGLAS P. SMITH'S
15 NOTICE OF SUBSTITUTION OF
16 COUNSEL

17 Judge: Hon. Jeremy Fogel

18
19
20
21
22
23
24
25
26
27
28
DEF. DOUGLAS P. SMITH'S NOT.
OF SUBSTITUTION OF COUNSEL

CASE NO.: C-05-4642 JF (PVT)

256181

1 TO THE COURT, PLAINTIFFS, AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that Defendant Douglas P. Smith hereby substitutes
3 Jeffrey S. Facter and Patrick D. Robbins and the law firm of Shearman & Sterling LLP as his
4 attorneys of record in place of John Potter, Christopher Tayback, and Michael Lifrak and the law
5 firm of Quinn Emanuel Urquhart Oliver & Hedges LLP. The address of Shearman & Sterling
6 LLP is 525 Market Street, Suite 1500, San Francisco, California 94105. Its telephone numbers are
7 (415) 616-1100 (voice) and (415) 616-1199 (fax). Mr. Facter and Mr. Robbins are admitted to
8 practice before this Court.

9 Dated: March 16, 2006

I consent to the substitution of counsel.

10
11 By: 
12 Douglas P. Smith

13 Dated: March 3, 2006

I have given proper notice and further consent to
the above substitution.

14
15 QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

16
17 By: 
18 John Potter

19 Dated: March 8, 2006

I consent to the substitution of counsel.

20 SHEARING & STERLING LLP

21
22 By: 
23 Jeffrey S. Facter
24
25
26
27
28

ORDER

IT IS SO ORDERED.

Dated: March 23, 2006



HON. JEREMY FOGEL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28